

station's owners or other interested parties and attorneys. The statute would allow for uniform enforcement on the part of the State Fire Marshall's Office and the fire districts empowered to enforce the codes. The statute would add strength to the State Fire Marshall's regulation which already has been interpreted differently by the Fire Marshall, by attorneys and by fire officials. Do you hear the problem, that there already is a difference of interpretation of the Fire Marshall's regulations? The statute, I believe, would be necessary to ensure public safety by requiring burial and taking the risk of fire explosion away from communities and fire departments. For example, in Falls City there are two gas stations that are very close to one another. Emergency personnel there have identified a "danger zone" for both stations, probably the radius affected in event of fire or other emergency. If a storage tank were above ground and a fire or explosion occurred, there is a danger that something could happen at the second gas station because the zones overlap, thus causing an even bigger hazard. This does not change the way most gas stations presently operate and should not require anything further of the service station operators if they are currently complying with what is now merely regulation. The county attorneys are asking for this. The Rural Fire Fighters Association, and this goes into every county of our state, are asking for this. Mr. Speaker, is there someone to speak after me?

SPEAKER NICHOL: Two.

SENATOR MARSH: Thank you. I'll hold further comments.

SPEAKER NICHOL: Senator Hannibal, then Senator Nelson.

SENATOR HANNIBAL: Mr. Speaker, members, I don't want to belabor the point. I think that Senator Marsh is willing to hold off so that we can possibly solve both the problems. There is some confusion as to exactly what is happening. It appears that we had a statute on the books that authorized some rules and regulations that are rules and regulations that the people are talking about. The statute that was giving the authorization for a rule was removed from the statutes, that law. So what the county attorneys are saying is you've got a rule and regulation here that really isn't enforceable because the authorizing law that made that possible to set that rule and reg. in place is no longer